

AMENDED IN SENATE APRIL 25, 2011

AMENDED IN SENATE MARCH 29, 2011

SENATE BILL

No. 162

Introduced by Senator Anderson

February 2, 2011

An act to amend Section 19817 of, and to add Sections 19933 and 19934 to, the Business and Professions Code, relating to gaming.

LEGISLATIVE COUNSEL'S DIGEST

SB 162, as amended, Anderson. California Gambling Control Commission: Gaming Policy Advisory Committee.

(1) Existing law establishes the California Gambling Control Commission and requires the commission to establish a 10-member Gaming Policy Advisory Committee composed of representatives of controlled gambling licensees and members of the general public in equal numbers. Existing law requires the executive director of the commission to convene this advisory committee, from time to time, for the purpose of discussing recommended controlled gambling regulatory policy. Existing law grants the Attorney General the authority to structure the Department of Justice, pursuant to which the Bureau of Gambling Control was created within the department.

This bill would delete the requirement that the committee be composed of 10 members and would require that at least 3 members of the committee be members of the general public. The bill would require the advisory committee to meet at least twice a year and would require the commission and the Department of Justice to consult with the committee on recommended proposed regulations and would require the committee to present its recommendations to the Department of Justice.

(2) Existing law requires the Department of Justice to make appropriate investigations whether there has been any violation of the Gambling Control Act or any regulations adopted under the act and authorizes the department to take action to suspend a license or permit.

This bill would require a notice of violation from the department regarding a noncriminal violation of the Gambling Control Act to be filed on or before 12 months after the violation occurs. The bill would also prohibit ~~a gambling establishment, its owners, or employees from being liable for a violation of the act by a 3rd-party provider of propositional player services or an employee of that 3rd party the commission from commencing an action against a gambling establishment, its owners, or its employees for a violation of the act committed independently by a 3rd-party provider of proposition player services or its employees.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 19817 of the Business and Professions
- 2 Code is amended to read:
- 3 19817. The commission shall establish and appoint a Gaming
- 4 Policy Advisory Committee. The committee shall be composed
- 5 of representatives of controlled gambling licensees and at least
- 6 three members of the general public. The executive director shall,
- 7 from time to time, convene the committee for the purpose of
- 8 discussing matters of controlled gambling regulatory policy and
- 9 any other relevant gambling-related issue, provided that the
- 10 committee shall meet at least twice a year. The commission and
- 11 the department shall consult with the committee on proposed
- 12 regulations. The recommendations concerning gambling policy
- 13 and proposed regulations made by the committee shall be presented
- 14 to the commission and the department, but shall be deemed
- 15 advisory and not binding on the commission and the department
- 16 in the performance of their respective duties or functions. The
- 17 committee shall not advise the commission on Indian gaming.
- 18 SEC. 2. Section 19933 is added to the Business and Professions
- 19 Code, to read:
- 20 19933. A notice of violation from the department regarding a
- 21 noncriminal violation of this chapter or any regulations

1 promulgated pursuant to it shall be filed on or before 12 months
2 after the violation occurs.

3 SEC. 3. Section 19934 is added to the Business and Professions
4 Code, to read:

5 ~~19934. A gambling establishment, its owners, or employees~~
6 ~~shall not be liable for a violation of this chapter or any regulations~~
7 ~~promulgated pursuant to it by a third-party provider of~~
8 ~~propositional player services or an employee of that third party.~~
9 ~~The third-party provider of propositional player services shall be~~
10 ~~responsible for complying with this chapter and the appropriate~~
11 ~~supervision of its employees.~~

12 *19934. The commission shall not commence an action against*
13 *a gambling establishment, its owners, or its employees for a*
14 *violation of this chapter committed independently by a third-party*
15 *provider of proposition player services or an agent or employee*
16 *of the provider.*